

AN ORDINANCE BY

03- 0 -1652

CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON MOROSGO PLACE, N.E., AND MOROSGO WAY, N.E., LYING AND BEING IN LAND LOT 48, 17TH DISTRICT, FULTON COUNTY GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a petition to abandon the rights-of-way of Morosgo Place, N.E. and Morosgo Way, N.E., said rights-of-way collectively constituting 1.915 acres in area, located in Land Lot 48 of the 17th District, Fulton County, Georgia, and more particularly described on Exhibit "A" attached hereto and incorporated herein (collectively, the "Northmoor Streets"); and

WHEREAS, the Commissioner of the Department of Public Works has determined that said petition is complete and that the required application fee has been paid to the City of Atlanta; and

WHEREAS, the Northmoor Streets shall become a part of the abutting property owner's property and shall be their responsibility to maintain; and

WHEREAS, the abutting property owner's have agreed to acquire the Northmoor Streets from the City of Atlanta for the appraised fair market value; and

WHEREAS, the building structures along Morosgo Place and Morosgo Way are presently occupied; the abutting property owner's and department of Public Works agree that public access to these streets must remain while the buildings are occupied.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That Morosgo Way NE, and Morosgo Place are hereby declared no longer useful or necessary for public use and convenience.

SECTION 2: That the City's intent is hereby given to abandon said streets.

SECTION 3: That any and all permanent public or private utility easements located within the Northmoor Streets shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated at which time, said easements shall expire.

SECTION 4: That no security measures shall be installed on the property such that will impede or obstruct in any way emergency access to the property.

SECTION 4. That the City's intent is hereby given to abandon said streets.

SECTION 5. That the abutting property owner has agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

SECTION 6. That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

SECTION 7. That no security measures shall be installed on the property such that will impede or obstruct in any way emergency access to the property.

SECTION 8. That the Director of Purchasing and Real Estate be and is hereby authorized to appraise said streets to determine their fair market land value. Upon completion of the appraisal, a copy of same shall be presented to the City Utilities Committee for review and approval.

SECTION 9. That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01524001G55001.

SECTION 10. That the Mayor be and is hereby authorized to execute a quitclaim deed to said streets.

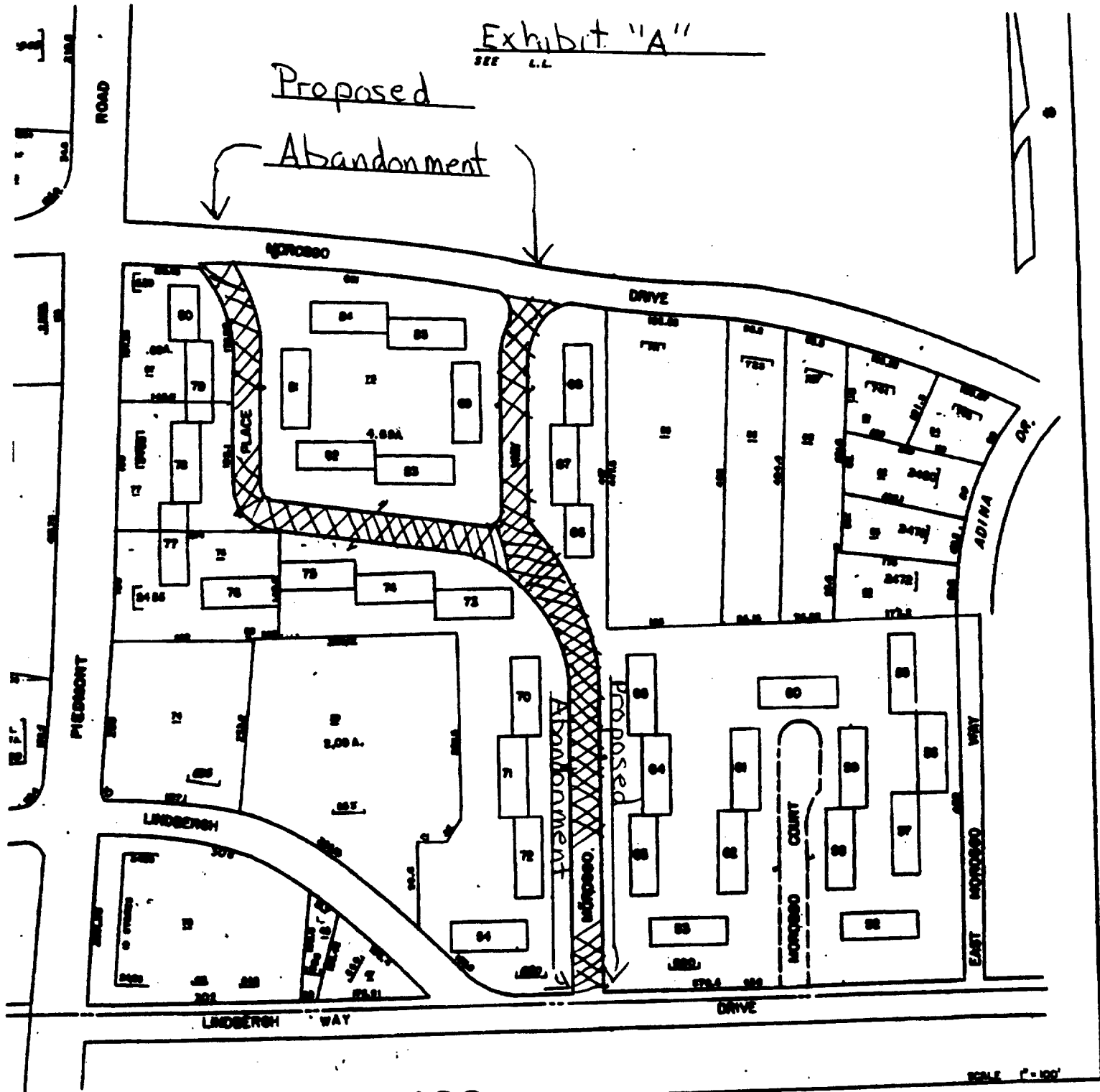
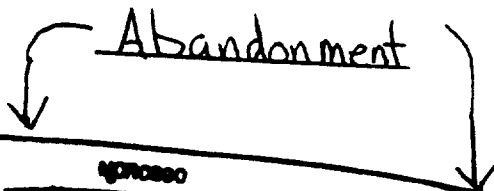
SECTION 11. That all ordinance and parts of ordinances in conflict herewith be and the same are hereby repealed.

Exhibit "A"

SEE L.L.

Proposed

Abandonment



PROPERTY OF JOINT CITY ATLANTA
JOINT CITY ATLANTA